Appl. No. 10/716,474
Amendment dated November 19, 2007
Reply to Office Action of July 18, 2007

KAS-195

REMARKS / ARGUMENTS

Claims 1-9 remain pending in this application. Claims 10-13 have been canceled without prejudice or disclaimer.

Non-Elected Claims

Claims 10-13 are directed to a non-elected invention and have been canceled without prejudice or disclaimer.

Priority

Submitted herewith is a certified copy of the corresponding Japanese patent application (JP 2002-337355, filed November 21, 2002). Applicants would appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

35 U.S.C. §112

The Examiner inadvertently mentions claim 6 in the rejection under this section. It appears that claim 8 contains the language objected to by the Examiner. In any case, claim 8 has been amended to overcome this rejection.

35 U.S.C. §101

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The claims have been amended to overcome the Examiner's rejection under this section. Present claim 1 is directed to the embodiment shown in Fig. 11, for example. The claims have been amended to refer to a maintenance center, first examination centers and second examination centers. No new matter has been added.

35 U.S.C. §102

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Mault (U.S. Pub. No. 2003/0129578). These rejections are traversed as follows.

The present invention is directed to a cross-contamination prevention system in which a maintenance center collects, records and manages information regarding cross-contamination that effects measured values with mixing of a plurality of reagents. A plurality of first examination centers offer the cross-contamination information to the maintenance center. A plurality of second examination centers receive the cross-contamination information from the maintenance center. A communication system dispenses the cross-contamination information among the maintenance center, the plurality of first examination centers, and the plurality of second examination centers via communication lines. A processing system periodically sends the cross-contamination information under management of the maintenance center to the plurality of second examination centers. These limitations are contained in independent claim 1.

On the other hand, Mault discloses a method and system for the early

detection of infectious diseases, or the symptoms of bioterrorism attacks in a

population (see Abstract). The system includes a plurality of local input devices

located with a plurality of individuals that are geographically dispersed with a

population. The local input devices are capable of recording information relating to

specific diseases of respective individuals, and capable of transmitting the

information to a central computer via a communication network. The central

computer statistically analyzes the information based upon a comparison of present

information and previous information to detect patterns of infectious diseases or

symptoms of acts of terrorism. The statistical analysis is used to produce outputs

relating to actions to be taken.

On the other hand, the present invention relates to a reagent cross-

contamination information which is specific. This reagent cross-contamination

information corresponds to combinations of reagents generating measurement

influences by being mixed with each other. One reagent influences another reagent

and the other reagent in turn is influenced by the one reagent. The other reagent is

used for analysis prior to the one reagent to prevent reagent cross-contamination.

Generally speaking, a reagent manufacturer carries out a cross-contamination

test for different reagents to obtain an influence of the analysis. The obtained results

are transmitted to users of the reagents as reagent cross-contamination information.

However, the kinds of reagents that are being used has increased recently so that it is difficult to carry out cross-contamination tests for all types of reagents by each reagent manufacturer. Therefore, according to the present invention, a maintenance center receives reagent cross-contamination information from the plurality of first examination centers in which actual analysis of a patient is carried out with plural kinds of reagents. The information center stores this cross-contamination information and periodically transmits it to the plurality of second examination centers. Clearly, Mault does not disclose or suggest communicating reagent cross-contamination information through a communication network as recited in claim 1.

Furthermore, as recited in claim 2, the maintenance center carries out a validation test based on the collected information to validate whether the information is true or false. Only information that is validated as being true is sent to the plurality of second examination centers.

In rejecting claim 2, the Examiner refers to item 43 in Fig. 4. However, as disclosed by Mault, at block 43, the central computer software analyzes the data and this analysis can include comparison to diagnostic or other databases and would include analysis of a statistical nature taking into account data from applicable population groups such as the geographic location of the transmissions, the number of transmissions, etc. (see [0040]).

However, the validation test according to claim 2 is for validating true information and is not a data analyzing operation. It is a test operation to obtain data

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that is to be analyzed. As such, in addition to the asserted patentability of claim 1, it

is submitted that claim 2 further defines the present invention and further

distinguishes Mault. The remaining claims are patentable at least based upon the

asserted patentability of claim 1.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of

Allowance be issued in this case.

Respectfully submitted,

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